

Amendment No. 1 to SB0836

Yager
Signature of Sponsor

AMEND Senate Bill No. 836

House Bill No. 553*

by deleting § 4-1-412(d) of Section 2 in its entirety and by substituting instead the following:

(d) Any entity exercising control of public property on which an item, structure or area described in subsection (a) is located may petition the Tennessee historical commission for a waiver to this section. A petition for waiver shall be in writing and shall state the reason, or reasons, upon which the waiver is sought. At any regularly scheduled meeting of the commission, the commission may grant a petition for waiver by a majority vote of those present and voting. The commission may include reasonable conditions and instructions to ensure that any items, structures, or areas are preserved to the greatest extent possible.

(e)

(1) This section shall apply to items, structures, or areas described in subsection (a) in existence prior to January 1, 1970, and those lawfully erected, named or dedicated on or after January 1, 1970.

(2) This section shall not apply to items, structures, or areas described in subsection (a) that are located on public property under the control of, or acquired by, the department of transportation which may interfere with the construction, maintenance, or operation of the public transportation system. The department shall strive to ensure that any such items, structures, or areas are preserved to the greatest extent possible.